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**REID RUBINSTEIN & BOGATZ**  
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*Attorneys for Defendants*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FNBN-RESCON I LLC, a Delaware limited  
liability company,

Plaintiff,

vs.

JOHN A. RITTER, individually; JOHN A.  
RITTER, AS TRUSTEE OF THE MUSTANG  
TRUST,

Defendants.

FNBN-RESCON I LLC, a Delaware limited  
liability company,

Plaintiff,

vs.

JOHN A. RITTER, individually,

Defendant.

FNBN-RESCON I LLC, a Delaware limited  
liability company,

Plaintiff,

**Case No. 2:11-cv-01867 JAD-VCF**  
Consolidated with 2:11-cv-01868-JAD-VCF

**STIPULATION AND  
ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

1 vs.

2 JOHN A. RITTER, individually; JOHN A.  
3 RITTER, AS TRUSTEE OF THE MUSTANG  
4 TRUST; FOCUS INVESTMENT MANAGER,  
5 LLC, a Nevada limited liability company,

6 Defendant.

7 **STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE**

8 Plaintiff FNBN-RESCON I, LLC, through their attorneys of record, the law firms of  
9 Quarles & Brady LLP and Smith Larsen & Wixom, Chd. ("Plaintiff"), and Defendants John A.  
10 Ritter, individually and as Trustee of the Mustang Trust, and Focus Investment Manager, LLC,  
11 through their attorneys of record, the law firm of Reid Rubinstein and Bogatz (collectively  
12 "Defendants"), HEREBY STIPULATE AND AGREE AS FOLLOWS:

13 1. Plaintiff and Defendants have entered into a Settlement Agreement, pursuant to  
14 which Plaintiff and Defendants have agreed to resolve their dispute and this litigation; and

15 2. Pursuant to the Settlement Agreement, although the first priority loans at issue in  
16 this litigation have not been extinguished or resolved, the parties have agreed to dismiss the  
17 pending claims without prejudice, with each party to bear its own fees and costs.

18 **ORDER**

19 Based on the parties' stipulation, IT IS HEREBY ORDERED that this action is  
20 DISMISSED without prejudice, each side to bear its own fees and costs. The Clerk of  
21 Court is instructed to close this case.

22 Dated: September 30, 2015.

23   
24 UNITED STATES DISTRICT JUDGE  
25  
26

REID RUBINSTEIN &amp; BOGATZ

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1 DATED this 30th day of September, 2015.

2 QUARLES &amp; BRADY LLP

3  
4 By: /s/ James L. Burke  
5 Susan G. Boswell, Esq.,  
6 Nevada Bar No. 4539  
7 James L. Burke, Esq.,  
8 Arizona Bar No. 011417  
9 *Admitted Pro Hac Vice*  
10 One South Church Avenue, Suite 1700  
11 Tucson, Arizona 85701

12 -and-

13 SMITH LARSEN & WIXOM, CHD  
14 Michael B. Wixom, Esq.,  
15 Nevada Bar No. 2812  
16 1935 Village Center Circle  
17 Las Vegas, Nevada 8913418 *Attorneys for Plaintiff FNB-RESCON I*  
19 *LLC*

DATED this 30th day of September, 2015.

REID RUBINSTEIN &amp; BOGATZ

By: /s/ Charles M. Vlasic III  
Scott Bogatz, Esq., Bar No. 3367  
Charles M. Vlasic III, Esq.,  
Nevada Bar No. 11308  
3883 Howard Hughes Pkwy, Suite 790  
Las Vegas, Nevada, 89169*Attorneys for Defendants*ORDER

BASED UPON THE FOREGOING, IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: \_\_\_\_\_